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September 21, 2022

## VIA ECF

The Honorable Gregory H. Woods  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2260  
New York, NY 10007

Re: *Doe v. Columbia University*, No. 1:20-cv-06770-GHW (S.D.N.Y.)

Dear Judge Woods:

On behalf of The Trustees of Columbia University in the City of New York (“Columbia”), we write to provide the Court with a copy of the February 6, 2018 *Bwog*<sup>1</sup> article requested in the Court’s September 18, 2022 order. *See* ECF 57 (“Order”). While counsel for Columbia contacted Plaintiff’s counsel on Monday, September 19, to propose a joint filing and shared a draft submission with Plaintiff’s counsel early this morning, instead of discussing his concerns regarding our proposed submission as we expected he would, 22 N.Y.C.R.R. Part 1200 App. A, Plaintiff’s counsel went ahead and filed his own submission with the Court, *see* ECF 58.

To be clear, what Your Honor’s Order requested was “a copy of the *Bwog* article,” presumably because Plaintiff’s Amended Complaint refers repeatedly to the “*Bwog* article,” *see* ECF 41 ¶¶ 125, 127, 214, 216. In response to that request, a copy of that article is attached to this letter. The article can also be accessed electronically at the following link: <https://bwog.com/2018/02/nrt-member-calls-for-sgb-board-member-to-recuse-himself-following-sexual-assault-allegations/>.

While the Court did not request them, and they are not referenced anywhere in the Amended Complaint, to the extent Plaintiff believes that comments about the article on the *Bwog* website should be submitted in response to the Court’s Order, those comments can be found at the link provided above. To the extent Plaintiff’s submission purports to include comments about the article that do not appear at the above link, we are not in a position to make any representations to the Court regarding those documents, including about their authenticity or how and by whom they

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<sup>1</sup> As Plaintiff concedes in the Amended Complaint, *Bwog* is a student-run website. ECF 41 ¶ 125. It is not sponsored or sanctioned by Columbia University. *See* About Us, *Bwog*, <https://bwog.com/about/> (last accessed Sept. 20, 2022) (describing *Bwog* as “financially and administratively independent” from Columbia University).

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were purportedly created. We note, however, that there is not a single allegation in the Amended Complaint referencing or discussing any comments about the *Bwog* article, including any comments that may have been deleted or otherwise removed from the website. It goes without saying that if Plaintiff cannot amend his pleading through a brief, *Doe v. Columbia Univ.*, 551 F. Supp. 3d 433, 458 (S.D.N.Y. 2021) (Woods, J.), he certainly cannot do so by means of a letter.<sup>2</sup>

Should any other information be helpful to the Court, we would be happy to provide it.

Respectfully submitted,



Roberta A. Kaplan

cc: Counsel of Record

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<sup>2</sup> Indeed, other topics in Plaintiff's letter, such as *Bwog*'s comment policy, or Columbia's Student Governing Board Bylaws, are nowhere to be found in the Amended Complaint.